

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

USDC SDNY  
DOCUMENT  
ELECTRONICALLY FILED  
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DATE FILED: 5/13/2024

GRAN CORAMINO LLC,

Plaintiff,

-against-

JOHN STANKIEWICZ, *also known as*  
Gary Stranger,

Defendant.

1:22-cv-9287

**ORDER**

MARY KAY VYSKOCIL, United States District Judge:

Plaintiff initiated this action by filing a complaint on October 28, 2022. [ECF No. 1]. On January 30, 2023, the Court issued an Order directing Plaintiff to serve Defendant and file proof of such service on the docket, and warning that if service was not made, the complaint may be dismissed for failure to prosecute pursuant to Rules 4 and 41 of the Federal Rules of Civil Procedure. [ECF No. 10]. Thereafter, following several status letters informing the Court of Plaintiff's efforts to serve Defendant, Plaintiff filed proof of service of summons and complaint on November 28, 2023. [ECF No. 27]. According to that document, Defendant was required to respond to the complaint by May 12, 2023. [ECF No. 27]. Defendant did not respond to the complaint, and on February 22, 2024, Plaintiff obtained a Clerk's Certificate of Default against Defendant. [ECF No. 34]. However, Plaintiff has not moved for default judgment to date.

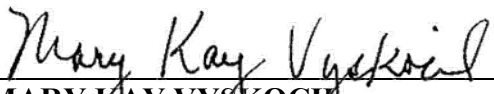
Accordingly, IT IS HEREBY ORDERED that any motion for entry of a default judgment shall be made by June 10, 2024. Plaintiff is directed to follow the procedures applicable to default judgments under the Court's Individual Rules of Practice in Civil Cases, available at the Court's website. Failure to move for a default judgment by June 10, 2024 may result in dismissal of this action for failure to prosecute, pursuant to Rule 41(b) of the Federal Rules of Civil Procedure. Plaintiff is on notice that it is ultimately responsible for prosecuting its case, and this case may be

dismissed because of chosen counsel's failure to prosecute the case. *See Link v. Wabash R. Co.*, 370 U.S. 626, 633–34 (1962).

Any request for an extension shall be filed by letter to ECF no later than 72 hours before the deadline.

**SO ORDERED.**

**Date: May 13, 2024**  
**New York, NY**

  
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**MARY KAY VYSKOCIL**  
**United States District Judge**